

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DAVID MARTIN PYLE

PLAINTIFF

v.

No. 5:15-CV-05245

HEAD NURSE ROBIN SIMS; NURSE
JUDY MADEWELL; ANDREW PIAZZA
(nurse); and NURSE PHEBE GROTHAUS

DEFENDANTS

ORDER

The Court has received a report and recommendation (Doc. 33) from United States Magistrate Judge Erin L. Setser. No objections have been filed and the deadline to file objections has passed. The Magistrate recommends that the Court grant Defendants' motion for summary judgment and dismiss this case with prejudice. The Magistrate finds that that Plaintiff cannot satisfy the subjective prong of his deliberate indifference claim.

The Court has reviewed this case and finds that the report and recommendation is proper, contains no clear error, and should be and hereby is ADOPTED IN ITS ENTIRETY.

IT IS THEREFORE ORDERED that Defendants' motion for summary judgment (Doc. 19) is GRANTED and this case is DISMISSED WITH PREJUDICE.

Judgment will be entered accordingly.

IT IS SO ORDERED this 17th day of February, 2017.

/s/ P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE